

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Erica M. Hines on February 24, 2011.

In the Claims

Claim 82

Replace the last 7 lines of the claim with the following:

-- and provided that where the substituent group R¹⁰ comprises or includes a carbocyclic or heterocyclic group, the said carbocyclic or heterocyclic group may be unsubstituted or may itself be substituted with one

or more further substituent groups selected from halogen, hydroxy, trifluoromethyl, cyano, nitro, carboxy, amino, mono- or di-C₁₋₄ hydrocarbylamino, unsubstituted carbocyclic and unsubstituted heterocyclic groups having from 3 to 12 ring members; a group R^a-R^b wherein R^a is a bond, O, CO, X¹C(X²), C(X²)X¹, X¹C(X²)X¹, S, SO, SO₂, NR^c, SO₂NR^c or NR^cSO₂; and R^b is selected from hydrogen, unsubstituted carbocyclic and unsubstituted heterocyclic groups having from 3 to 12 ring members, and a C₁₋₈ hydrocarbyl group optionally substituted by one or more substituents selected from hydroxy, oxo, halogen, cyano, nitro, carboxy, amino, mono- or di-C₁₋₄ hydrocarbylamino, unsubstituted carbocyclic and unsubstituted heterocyclic groups having from 3 to 12 ring members and wherein one or more carbon atoms of the C₁₋₈ hydrocarbyl group may optionally be replaced by O, S, SO, SO₂, NR^c, X¹C(X²), C(X²)X¹ or X¹C(X²)X¹; or two adjacent groups of the further substituent group, together with the carbon

atoms or heteroatoms to which they are attached may form a 5-membered unsubstituted heteroaryl ring or a 5- or 6-membered non-aromatic unsubstituted carbocyclic or unsubstituted heterocyclic ring, wherein the said heteroaryl and heterocyclic groups contain up to 3 heteroatom ring members selected from N, O and S. -- .

Claim 83, line 2 of claim:

replace "having" with -- of -- .

Claim 112, page 6, 10th line from the bottom of page:

replace "having up to four heteroatom ring" with
--containing up to four heteroatom ring -- .

Claim 112, page 8, line 7 of page:

replace "having 5 or 6 ring members" with
--containing 5 or 6 ring members -- .

CORRECTION: The provisional nonstatutory obviousness-type double patenting rejection of the instant claims over the claims in copending application 11/813,031 should not have been withdrawn in the Office Action dated November 19, 2010. However, since the instant application is the earlier filed application, the provisional nonstatutory obviousness-type double patenting rejection can be withdrawn as per MPEP 804(I) (B) (1).

The reference cited on Form 892, WO 02/059111, is done so as a result of Applicant bringing this reference to the Examiner's attention. However, the WO 02/059111 does not raise a question of anticipation or obviousness over the instant claimed invention. Therefore, the application is in condition for allowance.

Any inquiry concerning this communication or earlier communications from the examiner should be

directed to Laura L. Stockton whose telephone number is (571) 272-0710. The examiner can normally be reached on Monday-Friday from 6:00 am to 2:30 pm. If the examiner is out of the Office, the examiner's supervisor, Joseph McKane, can be reached on (571) 272-0699.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

The Official fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

/Laura L. Stockton/
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